



The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

Mr. Dick ODonell
Village of Winnepesaukee
PO Box 5284
Weirs Beach, New Hampshire 03247

LETTER OF DEFICIENCY
WMB PBF 04-19
August 13, 2004

Dear Mr. ODonell:

The Department of Environmental Services, Water Division ("DES") is required by RSA 485-A:26 to operate a program to ensure the health and safety of the public when using public bathing facilities such as pools and spas. To implement this program, DES has adopted administrative rules Env-Ws 1101-1105 to specify the design, operation, and maintenance requirements for public bathing facilities. DES reviews applications for new public bathing facilities and also inspects and tests the water in existing public bathing facilities to ensure that applicable requirements are being met.

On August 4, 2004, DES inspected the pool at the Village of Winnepesaukee in Laconia, NH ("the Pool")

During this inspection, the following deficiencies were noted

The inspection on August 4, 2004 revealed that the Pool was in violation of Env-Ws 1103.14 and unsafe for public use. The following bacterial violations were observed in the Pool water:

- a. Pursuant to Env-Ws 1103.14(a)(1) the maximum allowable concentration of total coliform bacteria and *Escherichia coli* in public bathing facility water is zero counts per one hundred milliliters (OCTS/100mL). The Pool water contained 2 CTS/100mL of total coliform bacteria with *E. coli* bacteria present.
2. Pursuant to Env-Ws 1103.15(a), disinfection of pool water shall be achieved by positive displacement pump type unit providing hypochlorination or by an erosion unit using either hypo-chlorite or bromine tablets with control of the erosion rate. The Pool is currently being disinfected by hand feeding.
3. Env-Ws 1104.04(a) requires the following safety devices to be present at all public pools: (1) a light, strong pole not less than 12 feet long, including a body hook, and (2) a minimum one-fourth inch diameter throwing rope as long as one and one-half times the maximum width of the pool or 50 feet, whichever is less, to which has been firmly attached a ring buoy with an outside diameter of approximately 15 inches or a similar flotation device. A ring buoy with rope was not present at the Pool at the time of inspection.
4. Pursuant to Env-Ws 1104.03(c), signs shall provide the location of the nearest telephone. The location of the nearest telephone was not posted at the Pool at the time of the inspection.
5. Env-Ws 1105.01(k)(19) requires pool filtration systems to include a flow meter. The filtration system for the Pool did not include a flow meter.

DES believes the cited deficiencies can be corrected prior to summer season 2005. A report outlining how compliance will be achieved with the cited deficiencies should be submitted to DES within 30 calendar days from receipt of this letter. The report should include the following:

A copy of two weeks of water quality test results for all facilities (please do not send originals).

2. The type, manufacture, and model of the chlorine feeder to be installed.

The type, manufacture, and model of the flow meter to be installed.

4. A timetable of when:
- a. the safety items will be in place;
 - b. the sign locating the nearest emergency telephone will be posted;
 - c. the installation of the chlorine feeder will be completed; and
 - d. the installation of the flow meter will be completed.

DES personnel will conduct another inspection at a later date to determine whether you have come into, and are maintaining, full compliance with RSA 485-A:26 and Env-Ws 1101-1105. After a violation of Env-Ws 1103.14, the facility will be required to pass two inspections in the following months. In the event that compliance is not achieved, DES may take further action, including seeking an administrative fine up to \$2,000 for each offense or referring the case to the NH Attorney General's Office for judicial action.

We appreciate your cooperation in this matter. Please contact Carrie Boudreau at (603) 271-7108 if you have any questions regarding this letter. Copies of Env-Ws 1101-1105 are available through the DES Public Information Center at (603) 271-2975 or via the Internet at <http://www.des.state.nh.us/pools/env1100.pdf>.

Sincerely,


COPY
Jody Connor
Limnology Center Director

Certified Mail # 7000 1670 0000 0587 7774

Gretchen R. Hamel, Legal Unit Administrator, DES
Carrie Boudreau, Public Bathing Facility Inspector, DES
Michelle Bonsteel, Health Officer, Town of Laconia